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✓ (3)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on November 8, 2001.

*[Signature]*  
Attorney for Applicant(s)

PATENT  
Docket No. 4000.2.71

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul G. Allen, et al. )  
Serial No.: 09/933,880 / )  
Filed: August 21, 2001 )  
For: SYSTEM AND METHOD FOR MITIGATING )  
INTERRUPTIONS DURING TELEVISION VIEWING )

**TRANSMITTAL OF RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF APPLICATION (FILING DATE GRANTED)**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Attention: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Application mailed September 24, 2001, enclosed please find the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- (1) a Declaration, Power of Attorney, and Petition executed by the inventors Paul G. Allen, John M. Kellum, and Robert E. Novak;

(2) a Fee Transmittal;

(3) a Credit Card Payment Form in the amount of \$1,620 to cover the filing fee for the above-identified application and the surcharge fee pursuant to 37 C.F.R. § 1.16(e).

(4) a copy of the Notice to File Missing Parts of Application - Filing Date Granted;

Please debit any additional fees, or credit any over payment, to Deposit Account No. 13-0763. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 13-0763. A duplicate copy of this sheet is enclosed.


x Any additional filing fees required under 37 C.F.R. § 1.16.

x Any patent application processing fees under 37 C.F.R. § 1.17.

x Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Please address all future correspondence in connection with this application to the attention of the undersigned.

Respectfully submitted,



Kory D. Christensen  
Reg. No. 43,548  
Attorney for Applicant

Date: November 8, 2001

MADSON & METCALF  
900 Gateway Tower West  
15 West South Temple  
Salt Lake City, Utah 84101  
Telephone: 801/537-1700



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FREE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete If Known

Application Number	09/933,880
Filing Date	August 21, 2001
First Named Inventor	Paul G. Allen
Group Art Unit	2643
Examiner Name	
Attorney Docket Number	4000.2.71

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$ 1620

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account:  
Deposit Account Number 13-0763  
Deposit Account Name MADSON & METCALF

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) 740

### 2. EXTRA CLAIMS FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims Fee from below		Fee Paid	
43	-20** =	23	x 18 =	414	
Ind. Claims 7	-3** =	4	x 84 =	336	
Multiple Dep. Claims		0	x 140 =	0	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) 750

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1440	218	720	Extension for reply within fourth month	
128	1960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1510	138	1510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1280	241	640	Petition to revive - unintentional	
142	1280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee

SUBTOTAL (3)

130

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Kory D. Christensen	Reg. Number	43,548
Signature		Deposit Account User ID	
Date	Nov 8, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/933,880	08/21/2001	Paul G. Allen	4000.2.71

21552  
MADSON & METCALF  
GATEWAY TOWER WEST  
SUITE 900  
15 WEST SOUTH TEMPLE  
SALT LAKE CITY, UT 84101



CONFIRMATION NO. 6364

## FORMALITIES LETTER



\*OC000000006591438\*

Date Mailed: 09/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$734.
  - \$414 for 23 total claims over 20.
  - \$320 for 4 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1574.

*A copy of this notice **MUST** be returned with the reply.*

01/15/2002 MBERHE 00000012 09933880

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	414.00 OP
04 FC:102	336.00 OP

PART 2 - COPY TO BE RETURNED WITH RESPONSE